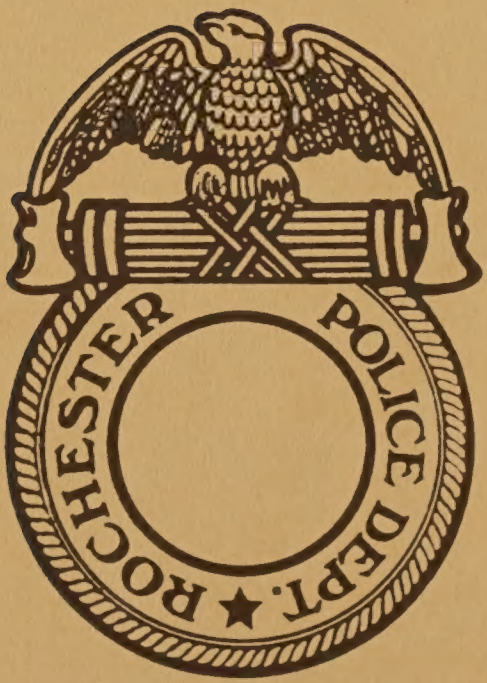
Rochester Police Department

Commendation or Complaint

How to officially commend or complain about a police officer

Rochester Police Department

City of Rochester



As a means of maintaining both police performance and police/community relations, the Rochester Police Department

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* encourages citizens' recommendations for improvements in our policing;

* welcomes the commendations of police personnel who admirably perform their duties; and

* encourages complaints and/or questions about the Department's performance or the actions of its members and employees.

This pamphlet explains how you can assist the Rochester Police Department and, if a complaint is involved, how to file that complaint and what to do if you are not satisfied with the outcome.

HOW AND WHERE TO GIVE COMMENDATION, REGISTER A COMPLAINT OR ASK A QUESTION

If you wish to commend a police officer, or if you feel that a police officer has acted improperly, you may register your commendation or complaint in four ways.

I. At any time you may phone the Rochester Police Department at 428-6666 and request that a commanding officer be sent to your location. At that time, the commanding officer will visit you and assist you to resolve the complaint, or the commanding officer will take a personnel commendation/complaint from you at the time.

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II. You may also register a commendation/complaint at the Office of the Center for Dispute Settlement, which is located at 87 N. Clinton Avenue, Suite 510, and can be reached at 546-5110 during normal business hours.

III. A citizen may register a commendation/complaint at the Internal Investigation Section Office, which is located in Room 671 of the City Public Safety Building at 150 South Plymouth Avenue. The office conducts business from 9:00 a.m. until 5:00 p.m., Monday through Friday, and can be reached at 428-7131.

IV. A commendation, recommendation, or complaint can be initiated by writing directly to the Chief of Police or the Commissioner of Public Safety, City of Rochester Police Department, City Public Safety Building, Rochester, New York 14614.

WHAT HAPPENS TO YOUR COMPLAINT

Your complaint may be addressed in two ways:

The Conciliation Process

Pursuant to Rochester City Council resolution, you may, under certain circumstances, elect to have your complaint handled by a conciliation process. The Center for Dispute Settlement has been designated as the conciliation facilitating organization. If the conciliation is not successful, you may renew your complaint and the internal investigative process will be initiated.

The Internal Investigative Process

Your complaint will be investigated by or under the direction of members of the Rochester Police Department's Internal Investigation Section. Statements, videotaping, and photographs are taken and a thorough, impartial, and confidential investigation is conducted. those cases which concern themselves with Use of Force, Missing Property, or any other conduct alleging criminal actions by the police are reviewed by a Complaint Investigation Committee.

This committee consists of two civilian panelists who are representatives of the Center for Dispute Settlement and two command officers holding the rank of Lieutenant or above from the Rochester Police Department. This Complaint Investigation Committee reviews the investigation for thoroughness, completeness and partiality. The committee then makes a recommendation to the Chief of Police on any further investigative or disciplinary action.

This committee recommendation is reviewed by the Chief of Police and the Commissioner of Public Safety. If departmental disciplinary charges are recommended, the Chief of Police then acts upon his responsibility under the Municipal and Civil Service Law to order a hearing based upon legitimate cause for the determination of a member's guilt or innocence.

If the Chief of Police impanels a hearing board, a citizen who has lodged the original allegation may elect to have a civilian panelist from the Center for Dispute Settlement be a member of the board. The Chief of Police then renders the appropriate action as empowered by Civil Service statute.

At the conclusion of the investigation and review, you will be notified of the final outcome of your complaint by certified letter from the Chief of Police. If necessay, a departmental staff member will personally visit you.

If the investigative process exceeds sixty days, you will be notified of the reason for the delay. You may inquire about the progress of your complaint at any time.

WHAT YOU CAN DO IF YOU'RE NOT SATISFIED

If you are not satisfied with the disposition of your complaint, you can call the Internal Investigation Section at 428-7131 and ask for a more detailed explanation. Any complainant retains the right to initiate a civil lawsuit against the City of Rochester within ninety (90) days of the incident. Cooperation with the Police Department in its investigation of your complaint insures prompt consideration and proper handling of our mutual concerns.

WHAT HAPPENS TO YOUR COMMENDATION

Commendations received by the Commmissioner of Public Safety or by the Chief of Police for any Rochester Police Department employee result in advising the employee of your gratitude and in permanently recording his/her actions and your appreciation in the employee's personal file.

The employee is officially cited in the Chief's monthly newsletter to the Department and depending upon the situation, could be considered for other departmental/community awards or recognition. Minimally, the employee is made aware of your kindness and appreciation.

WHAT IS YOUR RESPONSIBILITY

While the Rochester Police Department does encourage citizens to file complaints, that complaint must be made in good faith. Should the Police Department discover that the person or persons making the complaint or acting as a witness made statements which he/she knew or believed to be false, the Department could institute a criminal action against that person.

Civil action against an untruthful complainant could be instituted by the employee who is the subject of a false complaint.

WHY IS IT IMPORTANT

The standards of the Rochester Police Department are among the highest in the Nation, and our officers among the best trained. Our community and the level of police service that we all benefit from can best prosper by your support of these standards - by commendation, recommendation, question, or complaint.

The City does not discriminate on the basis of handicap status in its programs, activities or employment.